

AMENDMENT
APPLICATION FOR PERMIT

Serial No. 126123

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office SEP 4 - 1948
Returned to applicant for correction MAR 15 1949
Corrected application filed APR 1 - 1949

The undersigned R. H. Burney
Name of applicant
of Dyer, County of Esmeralda,
State of Nevada, hereby make application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.)

1. The source of the proposed appropriation is Fish Lake
Name of stream, lake, or other source

2. The amount of water applied for is seven second-feet.
One second-foot equals 40 miners' inches

3. The water to be used for irrigation
Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25, T. 2 S., R. 35 E., MDM., or at a point from which
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
the NE Cor. of Sec. 24, T. 2 S., R. 35 E., bears N. 30° 50' E., 10 130
feet.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is 640
(b) Description of land to be irrigated sandy loam.
Describe by legal subdivision, or if on unsurveyed land it should
SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13, T. 2 S., R. 35 E., MDM., W $\frac{1}{2}$ W $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18,
be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7, T. 2 S., R. 36 E., MDM.
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T. 2 S., R. 36 E.

(c) Use will begin about Jan 1st and end about Dec. 31st, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE
FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.
(e) Place of use
Give location of place of use by legal subdivision
(f) Point of return of water to stream
Describe in same manner as point of diversion
(g) State number and kinds of animals to be watered
(h) Use will begin about and end about, of each year.
Month Month
(i) Remarks

DESCRIPTION OF PROPOSED WORKS

By open ditch from Fish Lake to the various lands described in
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water
paragraph (b)
is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$3,000.00
6. Estimated time required to construct works one year
7. Remarks Vested Rights are claimed by applicant for Right of Way
For use of applicant
of said ditch through sections 26, 24 and 13, to place of use, as
delineated on the Official Township plat of T. 2 S., R. 35 E., TMDM.,
surveyed in 1877.

R. H. Burney, Applicant.

By Ed. S. Giles, agent

Compared HEAT

This sheet inspected

Protested May 11, 1949 by Peter Fabbi, Engineer.
Protested May 31, 1949 by E. L. Cord.
Protested June 8, 1949 by Marco Chiatovich
DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application,
and do hereby deny the same, ~~subject to the following conditions~~
~~on the grounds that the granting thereof would tend to~~
impair the value of existing rights and be detrimental to the public
welfare.

SEAL
XXXX

The amount of water to be appropriated shall be limited to the amount
which can be applied to beneficial use, and not to exceed
cubic feet per second.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or
before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial

use must be filed with State Engineer on or before

Map Filed FEB 24 1949

WITNESS MY HAND AND SEAL this 24th day

of February, 1954

HUGH A. SHAMBERGER

By Edmund Muth
EDMUND MUTH - Asst. State Engineer